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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 JAMES BUSEY, an individual,  
8  
9 Plaintiff,

v.

10 RICHLAND SCHOOL DISTRICT;  
11 RICHARD JANSON; HEATHER  
12 CLEARY; MARY GUAY; RICK  
DONAHOE; and PHYLLIS  
STRICKLER,

13 Defendants.

NO: 13-CV-5022-TOR

THIRD ORDER EXTENDING  
THE DISCOVERY PERIOD

14  
15 BEFORE THE COURT is the parties' Third Stipulated Motion for  
16 Extension of Discovery Period (ECF No. 63). This matter was submitted for  
17 consideration without oral argument. The Court has reviewed the briefing and the  
18 record and files herein, and is fully informed.

19 The parties move the Court for an order extending the discovery deadline  
20 from September 5, 2014, to October 31, 2014. The parties jointly represent that

1 they have been cooperating in their discovery efforts but are unable to complete  
2 discovery by the deadline due to scheduling conflicts and witness unavailability.<sup>1</sup>  
3 No trial is currently scheduled, pending the resolution of the interlocutory appeal  
4 presently before the Ninth Circuit concerning the arbitration of claims in this case.  
5 Pursuant to the parties' stipulation and for good cause shown, the Court grants the  
6 parties' motion for an extension.

7 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 8 1. The parties' Third Stipulated Motion for Extension of Discovery Period  
9 (ECF No. 63) is **GRANTED**. The Partial Scheduling Order Pending  
10 Appeal (ECF No. 47) is **AMENDED** with respect to the following  
11 numbered sections only:

12 **6. Discovery Cutoff**

13 **A. Generally**

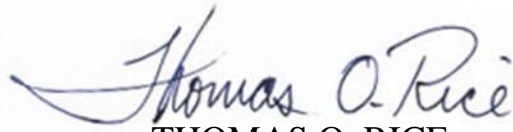
14 All discovery, including depositions and perpetuation  
15 depositions, shall be completed by **October 31, 2014**  
16 ("Discovery Cutoff").

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18 <sup>1</sup> For example, a Board member's recent illness delayed her provision of testimony  
19 for two months, and another key witness lives in Colorado and the parties have not  
20 yet been able to secure her attendance for a deposition.

1 The District Court Executive is hereby directed to enter this Order and  
2 provide copies to counsel.

3 **DATED** June 19, 2014.



  
THOMAS O. RICE  
United States District Judge